

UNITED STATES OF AMERICA, )  
 )  
v. ) No.: 3:10-CR-149-PLR-HBG  
 )  
MARK LAWRENCE MICHALEC )

This matter is before the Court on the defendant's *pro se* motion for early termination of supervised release [R. 790]. In support of his motion, Defendant states that he has completed all requirements of his supervision, including payment in full of the restitution ordered in this case.

Defendant's probation officer reports that defendant has done well while on supervision; he has passed all his drug screens; has maintained good conduct in the community; has worked hard to change his life around; and has paid his restitution and special assessment in the amount of \$7,468.26 in full. The Government has informed the Court that it has no objection to Defendant's motion, and in fact, highly recommends granting the motion.

Defendant pled guilty to conspiracy to defraud financial institutions. His offense was committed over one day and was limited to cashing two fraudulent checks. Defendant was sentenced to one day imprisonment, followed by three years of supervised release on February 10, 2012. The record shows that Defendant has completed more than

one year of his ordered term of supervised release. He has paid his restitution and special assessment in full. Defendant moves for early termination of supervised release pursuant to 18 U.S.C. § 3583(e) which provides:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(6), and (a)(7) –

Terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

18 U.S.C. § 3583(e)(1).

After carefully considering the requirements of the statute, the Court finds that the relevant portions of 18 U.S.C. § 3583(a) support an early termination of Defendant's supervised release. In support of this determination, the Court notes that Defendant has completed more than one year of his term of supervised release and that defendant is in compliance with the conditions of his release. The Court also notes that Defendant has maintained steady employment and paid his restitution in full. In addition, his probation officer, as well as the government, recommends early termination. Accordingly, because the requirements of 18 U.S.C. § 3583(e)(1) have been satisfied and in light of the lack of any objection by the Probation Office or the Government, the Court finds Defendant's motion for early termination of supervised release well taken, and it is hereby **GRANTED**. Defendant's term of supervised release is **TERMINATED**.

**IT IS SO ORDERED.**

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UNITED STATES DISTRICT JUDGE